

106TH CONGRESS
1ST SESSION

H. R. 1034

To declare a portion of the James River and Kanawha Canal in Richmond, Virginia, to be nonnavigable waters of the United States for purposes of title 46, United States Code, and the other maritime laws of the United States.

IN THE HOUSE OF REPRESENTATIVES

MARCH 9, 1999

Mr. BILEY (for himself and Mr. SCOTT) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To declare a portion of the James River and Kanawha Canal in Richmond, Virginia, to be nonnavigable waters of the United States for purposes of title 46, United States Code, and the other maritime laws of the United States.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. FINDINGS.**

4 The Congress finds the following:

5 (1) The James River and Kanawha Canal, lo-
6 cated in Richmond, Virginia, played an important
7 part in the economic development of the Common-
8 wealth of Virginia and the City of Richmond.

1 (2) The canal ceased to operate as a function-
2 ing waterway in the conduct of commerce in the late
3 1800's.

4 (3) Portions of the canal have been found by a
5 Federal district court to be nonnavigable.

6 (4) The restored portion of the canal will be
7 utilized to provide entertainment and education to
8 visitors and will play an important part in the eco-
9 nomic development of downtown Richmond.

10 (5) The restored portion of the canal will not be
11 utilized for general public boating, and will be re-
12 stricted to activities similar to those conducted on
13 similar waters in San Antonio, Texas.

14 (6) The continued classification of the canal as
15 navigable waters of the United States based on his-
16 toric usage that ceased more than 100 years ago
17 does not serve the public interest and is not nec-
18 essary to protect public safety.

19 (7) Congressional action is required to clarify
20 that the canal is no longer to be treated as navigable
21 waters of the United States.

1 **SEC. 2. PORTION OF JAMES RIVER AND KANAWHA CANAL**
2 **DECLARED TO BE NONNAVIGABLE WATERS**
3 **OF THE UNITED STATES.**

4 The portion of the canal known as the James River
5 and Kanawha Canal in Richmond, Virginia, between the
6 Great Ship Lock on the East and the border of the City
7 of Richmond on the West is declared to be nonnavigable
8 waters of the United States for purposes of title 46,
9 United States Code, and the other maritime laws of the
10 United States.

○